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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,532	05/29/2001	Romain Durand	Q64581	4329

7590 09/17/2003
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
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EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/865,532

Applicant(s)

DURAND ET AL.

Examiner

Sharad K. Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1. 6) ☐ Other:

DETAILED ACTION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kemppi.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hymel & Vehmas et al. further in view of Pinault.

1. Regarding Claim 1, Hymel disclosed A method of blocking an operation or a service involving a first identifier including first information suitable for being read by first reader means disposed in a radio terminal (col.4; 14-33) and

Hymel fails to disclosed a second reader. However, Vehmas teaches in an analogous art, that a second identifier including second information suitable for being read by second reader means associated with the terminal (10, 13; fig.1; col.3; 65 – col.4; 65), Therefore, it would have

been obvious to one of ordinary skill in the art at the time of invention to include a second reader in order to provide removably receiving a memory module for storing information.

The above combination fails to disclosed authorizing the operation involving both identifiers depending on the result of the comparison. However, Pinault teaches in an analogous art, that calculating (115; fig.11) first data from the first and second information as read in the identifiers;

comparing (116; fig.11) the first calculated data with second data stored in a memory zone of the assembly comprising the terminal and the second read means; and

authorizing (117; fig.11) the operation involving both identifiers depending on the result of the comparison. (col.10; 66 – col.11; 19) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include authorizing the operation involving both identifiers depending on the result of the comparison in order to provide secure transaction by accessing only for authorized individual.

2. Regarding Claim 2, Hymel disclosed all the particulars of the claim except the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the radio terminal. However, Pinault teaches in an analogous art, that A method according to claim 1, wherein the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the radio terminal. (114; fig.11; col.11; 3–10) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the steps of calculating, storing, and comparing the first and second data are

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implemented by means integrated in the radio terminal in order to provide secure transaction by accessing only for authorized individual.

3. Regarding Claim 3, Hymel disclosed all the particulars of the claim except a second reader.

However, Vehmas teaches in an analogous art, that A method according to claim 1, wherein the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the second reader means. (10, 13; fig. 1; col.3; 65 – col.4; 65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a second reader in order to provide removably receiving a memory module for storing information.

4. Regarding Claim 4, Hymel disclosed all the particulars of the claim except the first data is stored during a step of personalizing the terminal or the second reader means. However, Vehmas teaches in an analogous art, that A method according to claim 1, wherein the first data is stored during a step of personalizing the terminal or the second reader means. (prioritization; col.5; 35-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the first data is stored during a step of personalizing the terminal or the second reader means in order to provide customized accessing for authorized individual.

5. Regarding Claim 5, Hymel disclosed all the particulars of the claim except verifying whether the function of blocking the operation is in an activated state, which prior step is performed before performing the calculation and comparison steps. However, Pinault teaches in an analogous art, that A method according to claim 1, further including a prior step of verifying

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whether the function of blocking the operation is in an activated state, which prior step is performed before performing the calculation and comparison steps. (117; fig.11; col.11; 11-19) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include verifying whether the function of blocking the operation is in an activated state, which prior step is performed before performing the calculation and comparison steps in order to provide secure transaction by accessing only for authorized individual.

6. Regarding Claim 6, Hymel disclosed all the particulars of the claim except the first identifier suitable for being read by the radio terminal is a user card of the SIM type. However, Pinault teaches in an analogous art, that A method according to claim 1, wherein the first identifier suitable for being read by the radio terminal is a user card of the SIM type. (117; fig.11; col.11; 11-19) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the first identifier suitable for being read by the radio terminal is a user card of the SIM type in order to provide usable in GSM system.

7. Regarding Claim 7, Hymel disclosed A method according to claim 1, wherein the second identifier suitable for being read by the second reader means associated with the radio terminal is a card of the smart card type or of the magnetic track type. (col.1; 31-45 & col.4; 14-33)

8. Regarding Claim 8, Hymel disclosed A method of blocking an operation or a service involving a first identifier including first information suitable for being read by first reader means disposed in a radio terminal and (col.4; 14-33), the method comprising the steps of:

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Hymel fails to disclosed a second reader. However, Vehmas teaches in an analogous art, that a second identifier including second information suitable for being read by second reader means associated with the terminal (10, 13; fig.1; col.3; 65 – col.4; 65), Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a second reader in order to provide removably receiving a memory module for storing information.

The above combination fails to disclosed comparing the first calculated data with second data stored in storage means of the assembly comprising the terminal and the second reader means.. However, Pinault teaches in an analogous art, that calculating (115; fig.11) first data from the first and second information as read in the identifiers;

comparing (116; fig.11) the first calculated data with second data stored in a memory zone of the assembly comprising the terminal and the second read means (col.10; 66 – col.11; 19) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include comparing the first calculated data with second data stored in storage means of the assembly comprising the terminal and the second reader means in order to provide secure transaction by accessing only for authorized individual.

9. Regarding Claim 9, Hymel disclosed all the particulars of the claim except the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the radio terminal. However, Pinault teaches in an analogous art, that A method according to claim 8, wherein the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the radio terminal. (114; fig.11; col.11; 3–10) Therefore, it would have been obvious to one of ordinary skill in the art at the time of

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invention to include the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the radio terminal in order to provide secure transaction by accessing only for authorized individual.

10. Regarding Claim 10, Hymel disclosed all the particulars of the claim except a second reader. However, Vehmas teaches in an analogous art, that A method according to claim 8, wherein the steps of calculating, storing, and comparing the first and second data are implemented by means integrated in the second reader means. (10, 13; fig. 1; col.3; 65 – col.4; 65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a second reader in order to provide removably receiving a memory module for storing information.

11. Regarding Claim 11, Hymel disclosed Apparatus according to claim 8, wherein the first and second identifiers are respectively a user card of the SIM card type and a smart card or a magnetic track card. (col.1; 31-45 & col.4; 14-33)


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu. (6:30-4:00) alternate Fri.(6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad K. Rampuria
August 25, 2003



WILLIAM TROST
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